

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

CONTENTGUARD HOLDINGS, INC.,

Plaintiff,

v.

AMAZON.COM, INC.; APPLE INC.;
BLACKBERRY LIMITED (FKA RESEARCH
IN MOTION LIMITED) AND BLACKBERRY
CORPORATION (FKA RESEARCH IN
MOTION CORPORATION); HTC
CORPORATION AND HTC AMERICA, INC.;
HUAWEI TECHNOLOGIES CO., LTD. AND
HUAWEI DEVICE USA, INC.; MOTOROLA
MOBILITY LLC; SAMSUNG ELECTRONICS
CO., LTD., SAMSUNG ELECTRONICS
AMERICA, INC., and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC,

Defendants.

No. 2:13-cv-01112 (JRG)

JURY TRIAL DEMANDED

**NOTICE OF COMPLIANCE WITH THIRD-PARTY PRODUCTION PROVISIONS BY
DEFENDANT APPLE, INC.**

Pursuant to Paragraph 12 of the Amended Protective Order Regarding the Disclosure and Use of Discovery Materials (Dkt. No. 152), notice is given that Defendant Apple Inc. ("Apple") produced third-party confidential information in compliance with the Amended Protective Order and verifies as follows:

1. **Hachette Digital, Inc.:** Apple notified Hachette Digital, Inc. ("Hachette") of its intent to produce Hachette confidential information via Federal Express overnight delivery by letter dated December 16, 2014 with the Amended Protective Order attached and a copy of the confidential information Apple intended to disclose. The Federal Express envelope was delivered to an incorrect address on December 17, 2014 and was

unrecoverable. A second Federal Express overnight delivery and an email were sent on December 18, 2014; both included a letter dated December 18, 2014, the Amended Protective Order, and a copy of the confidential information Apple intended to disclose. The second Federal Express envelope was delivered on December 19, 2014. Apple has not received an objection.

2. **Simon & Schuster Digital Sales Inc.:** Apple notified Simon & Schuster Digital Sales Inc. (“Simon & Schuster”) of its intent to produce Simon & Schuster confidential information via Federal Express overnight delivery by letter dated December 16, 2014, and by email sent on December 18, 2014, both with the Amended Protective Order attached and a copy of the confidential information Apple intended to disclose. The Federal Express envelope was delivered on December 17, 2014. Apple has not received an objection.
3. **Penguin Random House LLC:** Apple notified Penguin Random House LLC (“Random House”) of its intent to produce Random House confidential information via Federal Express overnight delivery by letter dated December 16, 2014, and by email sent on December 18, 2014, both with the Amended Protective Order attached and a copy of the confidential information Apple intended to disclose. The Federal Express envelope was delivered on December 17, 2014. On December 19, 2014, Sharon Davis, counsel for Random House, agreed to the production of the documents, pursuant to the protective order.
4. **Macmillan Publishers:** Apple notified Macmillan Publishers (“Macmillan”) of its intent to produce Macmillan confidential information via Federal Express overnight delivery by letter dated December 16, 2014, and by email sent on December 18, 2014, both with the Amended Protective Order attached and a copy of the confidential information Apple intended to disclose. The Federal Express envelope was delivered on December 17,

2014. Apple has not received an objection.

5. **HarperCollins Publishers:** Apple notified HarperCollins Publishers (“HarperCollins”) of its intent to produce HarperCollins confidential information via Federal Express overnight delivery by letter dated December 16, 2014, and by email sent on December 18, 2014, with the Amended Protective Order attached and a copy of the confidential information Apple intended to disclose. The Federal Express envelope was delivered on December 17, 2014. Apple has not received an objection.
6. **Paramount Home Entertainment, Inc.:** Apple notified Paramount Home Entertainment, Inc. (“Paramount”) of its intent to produce Paramount confidential information via Federal Express overnight delivery by letter dated December 1, 2014 with the Amended Protective Order attached and a copy of the confidential information Apple intended to disclose. The Federal Express envelope was delivered to Paramount on December 2, 2014. On December 22, Apple submitted to the Court a stipulation and protective order regarding the disclosure and use of discovery material from Paramount. On January 22, 2015 the Court entered this order.

Dated: January 27, 2015

/s/ Melissa R. Smith
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on January 27, 2015. *See* Local Rule CV-5(a)(3)(A).

/s/ *Melissa R. Smith*